

REMARKS

Claims 53-77 are pending. Claims 53, 67, and 69 are the independent claims.

Independent claims 53 and 69 have been amended. Support for the amendment can be found, for example, at page 5, lines 37-38, of the English translation of applicant's specification. New claim dependent claims 76 and 77, which depend from independent claims 53 and 69, respectively, recite the feature from independent claim 67 that the second mold is positioned 1 mm or less away from a periphery of the first mold.

Preliminarily, we remind the Examiner that, as described in applicant's specification, the disclosed manufacturing method is intended to: i) provide a lens that is adapted to the shape of the frame chosen by the wearer without further trimming before securing the lens to the frame; and ii) provide a lens that is thinner compared with conventional lenses. See, for example, page 3, lines 15-24 of the English translation of applicants' specification.

The reduced thickness of the lens obtained is enabled by the relative size and shape of the two molds and the relative position of the two molds. For example, independent claims 53 and 69 recite "a non-circular first mold" and "a second circular mold," wherein "a maximum size of the first mold between two points of its perimeter being less than a diameter of the second mold," and independent claim 67 recites that "the second mold being positioned 1 mm or less away from a periphery of the first mold." Such features make it possible to obtain a very low thickness on the perimeter of the lens. (See, for example, page 6, lines 19-24 of the English translation of applicant's specification.) This ensures that the lens is of lower weight and improves the comfort for wearers. (See, for example, page 3, lines 18-19 of the English translation of applicant's specification.)

Turning now to the prior art rejections, all claims stand rejected as allegedly obvious over U.S. Patent No. 3,940,304 ("Schuler") in view of U.S. Patent No. 3,459,085 ("Takubo"). The action asserts that Schuler essentially discloses all of the claim limitations except for "a clear disclosure that the mold used is in the shape of the desired frame ... and that the periphery of the lens is not trimmed by more than a few millimetres prior to securing the lens in the frame." (Action at page 2.) The action asserts that Takubo remedies such deficiencies. We traverse.

With regard to independent claims 53 and 69, we submit that Schuler and Takubo do not teach or suggest “a non-circular first mold” and “a second circular mold,” wherein “a maximum size of the first mold between two points of its perimeter being less than a diameter of the second mold,” as recited in claims 53 and 69.

To the contrary, Schuler shows two rigid mold elements (6, 7) and a resilient body component (8) disposed in between. The resilient body (8) can have various shapes (see, e.g., Schuler at col. 5, lines 53-57) and the finished or semi-finished lens (i.e. molded lens) can be ground and polished (see, for example, Schuler at col. 7, lines 30-35). However, Schuler shows that the two rigid mold elements (6, 7) are substantially identical in shape and size. (See, for example, Schuler at Fig. 2.) Accordingly, there is no teaching or suggestion in Schuler that the maximum size of the first mold (6) between two points of its perimeter is less than the diameter of the second mold (7), as required by independent claims 53 and 69.

Likewise there is no such teaching or suggestion in Tabuko. To the contrary, while Takubo may describe a manufacturing method to provide a mold adapted to the shape of a chosen frame, Takubo indicates that only one mold is manufactured and is sufficient to mold the lens. For example, Tabuko states: “One mold will suffice for producing any number of lens blanks of a single type.” (Tabuko at col. 1, lines 28-29.) Even if a second mold were manufactured according to Takubo’s teaching, we can find no indication that the second mold would be any different from the first mold, let alone that the maximum size of the first mold between two points of its perimeter would be less than the diameter of the second mold, as required by independent claims 53 and 69.

Accordingly, we ask the Examiner to withdraw the rejection of independent claims 53 and 69.

With regard to independent claim 67, we submit that Schuler and Tabuko do not teach or suggest “the second mold being positioned 1 mm or less away from a periphery of the first mold,” as recited in claim 67.

To the contrary, Schuler shows two rigid mold elements (6, 7) equally distant from one another over the entire surface of the molded lens. (See Figure 2 in Schuler.) He does not

specify the distance between the two mold elements; however, we submit that the distance must be greater than 1 mm or else the lens would only having a thickness over its *entire* surface of 1 mm or less, which would not be suitable for a lens element. Likewise, it seems obvious that resilient body component (8) disposed between the two rigid mold elements (6, 7) to define the shape of the lens periphery is more than 1 mm thick.

Similarly, Takubo fails to teach or suggest the claim limitation. As noted above, while Tabuko may describe a manufacturing method to provide a mold adapted to the shape of a chosen frame, he suggests using only one mold for this purpose. (See, e.g., Tabuko at col. 1, lines 28-29.) There is simply no suggestion in Takubo to supply a second mold and to position such second mold 1 mm or less away from a periphery of the first mold.

Accordingly, we ask the Examiner to withdraw the rejection of independent claim 67.

We further submit that the dependent claims are patentable for at least the same reasons as those set forth above for independent claims 53, 67, and 69.

Conclusion

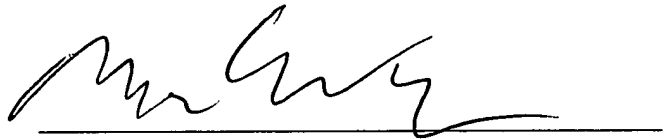
We ask that the application be allowed.

Canceled claims, if any, have been canceled without prejudice or disclaimer.

Any circumstance in which the applicant has (a) addressed certain comments of the examiner does not mean that the applicant concedes other comments of the examiner, (b) made arguments for the patentability of some claims does not mean that there are not other good reasons for patentability of those claims and other claims, or (c) amended or canceled a claim does not mean that the applicant concedes any of the examiner's positions with respect to that claim or other claims.

Enclosed is a \$100.00 check for excess claim fees and a \$1,020.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing 08641-021001.

Respectfully submitted,



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